

GREENWOOD COMMON COUNCIL
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Mayor Charles Henderson called the meeting to order at 7:00 p.m.

Boy Scout Troop #545 from Perry Township led the Pledge of Allegiance. Pastor Tom Bridges of the First Baptist Church then led in prayer. The Mayor thanked the scouts for participating in the meeting and asked that they introduce themselves and their leaders to the Council.

PRESENT: Council members Bruce Armstrong, Ron Bates, Bill Bless, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; Mayor Henderson; Clerk-Treasurer Jeannine Myers; and City Attorney Shawna Koons-Davis.

Mr. Bates moved to approve the minutes of the regular session of March 6th. Second was by Mr. Hardin. Vote: Ayes.

The City Attorney had distributed her litigation report. There were no questions from the Council.

Mr. Hardin reported for the Plan Commission. The Aldi project was under their old business, and the Emerson Pointe project was approved. The public hearing for the Brighton Subdivision and the site development plan for Endress + Hauser were other topics.

Mr. Gibson noted that Solid Waste Management reminds everyone that heavy trash pickup will be at the Fairgrounds on April 22nd for residents as well as small businesses. Over 6,000 pounds of shoes were shipped overseas. Bradley Chevrolet supplied a new vehicle for \$17,500. The coordinator's salary is \$42,500. Battery recycling continues, with those being sent to Massachusetts. Lynn Gray is the attorney, once more, and Pat Sherman is treasurer.

ORDINANCE No. 05-38 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 92.186 Acres Located Southwest of the Intersection of County Road 700 North and County Road 125 West, and Commonly Known as the Clark Pleasant Community School Corporation Property. Mr. Armstrong moved to pass Ordinance No. 05-38 through first reading. Second by Mr. Bless. Mr. Bates recalled that this was before the Plan Commission last year and indicated that he saw a negative impact for the City, as there will obviously be more police and fire protection and road improvements. Tony Setzer of Bose McKinney & Evans, LLP represented the petitioner and gave a brief background. He told the Council that he thought the additional cost to the City would be relatively minimal and will make other property to the south and west available for annexation. Fire Chief Dhondt, responding to the Mayor, said that fire protection would change, as this property is currently Whiteland. Ms. Reed cited the TIF financing and stressed that she was strongly in favor of annexing this property, as we are adding so much to their school enrollment. Mr. Gibson said he thought that the school board was considering the future in planning for this much acreage. The east – west thoroughfare is not set yet. Mr. Deer commented that he would not like to see this acreage stand alone surrounded by property annexed into the City. There was more discussion on concerns by residents in the area that they would be annexed next and “forced” annexation. Vote: Ayes – Armstrong, Bless, Deer, Gibson, Hardin, Reed; Nay – Bates. **PASSED FIRST READING.** To comply with State statute, Mr. Bates moved to postpone second reading to May 1st. Second by Mr. Gibson. Vote: Ayes. **SECOND READING POSTPONED UNTIL MAY 1, 2006 MEETING.**

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RESOLUTION No. 06-05 – A Resolution Declaring a Certain Area Within the City of Greenwood an Economic Revitalization Area and Certain Real Property Improvements for Property Tax Abatements and Setting the Time and Place For a Public Hearing Thereon (Greenbrooke Medical Pavilion – J. Greg Allen & Associates, Inc.). The City Attorney told the Council that after the Resolution was prepared as a tax abatement outside the TIF district, the applicant informed her that the property is within the TIF district. Therefore, the Redevelopment Commission must consider the application before the Council can act on it. The application has been forwarded to the Redevelopment Commission for action at its April 11, 2006 meeting. At counsel's request, Mr. Bates moved to table Resolution No. 06-05. Second was by Mr. Hardin. Vote: Ayes. **TABLED.**

ORDINANCE No. 06-08 – An Ordinance Authorizing the Clerk-Treasurer to Make Temporary Loans From Non-Restricted City Funds to the Fire Fund. Mr. Deer moved to pass Ordinance No. 06-08 on first reading. Second by Mr. Bates. Chief Dhondt reminded the Council of the discussion at introduction and recalled that most of the members of the Council were uncomfortable with the open-endedness of the ordinance. He said he had time to work with the figures whether the ordinance is passed in this form or the Council would desire that it be rewritten with a specific fund and amount. Chief Dhondt said that the amount this year will be \$325,000 – about half of last year's loan (\$640,000). In response to Mr. Deer, the Chief said that the average over the last four or five years is approximately \$450,000. This loan would allow the Fire Department to pay their bills until the tax draw comes in, noted Chief Dhondt, so there would be no additional spending authority. Mr. Armstrong commented that he would like to make decisions based on knowing the correct balances in the Cum funds, for example. Chief Dhondt thought most of the loans have been from Cum Cap Development (CCD) over the years. After more discussion, the vote was taken. Vote: Aye – Bates; Nays – Deer, Gibson, Hardin, Reed, Armstrong, Bless. **FAILS.** A new ordinance will be ready for the next meeting.

ORDINANCE No. 05-33 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 4 Acres Located on the Southwestern Corner of Stella Drive and State Road 135, Commonly Known as the Waltz Property. Mr. Bates moved to pass Ordinance No. 05-33 through second reading. Mr. Bless seconded. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 06-06 – An Ordinance to Amend Greenwood Common Council Ordinance Nos. 89-65 and 03-52, and Greenwood Municipal Code (1993), As Amended, Chapter 2, Article 8, Sec. 2-68(g)(3), to Clarify the Compensation Rate of Employees Who Work Both an Actual and Recognized Holiday In Operations Not Staffed Seven (7) Days a Week. Mr. Hardin moved to pass Ordinance No. 06-06 on second reading. Second by Ms. Reed. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 06-07 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled "An Ordinance Establishing Comprehensive Zoning Regulations For the City of Greenwood, Indiana, and Providing For the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana As Amended, and For the Repeal of All Ordinances in Conflict Herewith" (Proposed Rezoning of approximately 49.897 acres of land located on the northeast corner of the intersection of East Main Street (a/k/a Rocklane Road) and Combs Road, commonly known as the Rock Lane Properties, LLC Property). Ms. Reed moved to pass Ordinance No. 06-07 through second

reading. Mr. Armstrong seconded. Vote: Ayes. **ORDINANCE No. 06-07 PASSED SECOND READING.**

ORDINANCE No. 06-09 – An Ordinance to Establish a Special Non-Reverting Fund to Administer Money Received for Dog Park Purposes. **INTRODUCED.**

RESOLUTION No. 06-06 – A Resolution Electing to Enlarge Participation in the Public Employees' Retirement Fund. Ms. Koons-Davis explained that this resolution would cover the position of City Court Judge. **INTRODUCED.**

Under miscellaneous business, Mr. Armstrong asked who needs to work on the intersection of the railroad tracks and Stop 18 Road. Mayor Henderson said he has been working on this for quite some time; asphalt has been put down to the right. The Mayor said he has been talking with Mr. Secor, the president of the railroad, most recently about six weeks ago, and was told it would probably be \$8,000 to repair the intersection. Negotiations are continuing.

The Clerk-Treasurer referred to information she had given the Council members in their file pockets, including the final budget order.

The City Attorney had forwarded Compliance with Statement of Benefits regarding Nachi expansions and referencing Resolutions 00-04 and 04-29. Mr. Bless moved to find Nachi in substantial compliance with Resolution No. 00-04 for the expansion project. Second by Mr. Bates. Vote: Ayes.

For the warehouse and office facility of 2004, Mr. Armstrong moved to find Nachi in substantial compliance. Second by Mr. Gibson. There was discussion on the number of additional employees. Mr. Bless recalled that the Council was told they were having trouble finding qualified people. Ms. Koons-Davis described the last presentation where they were having trouble finding skilled labor. Mr. Bates said he would like a representative to come back again and moved for postponement. Second by Mr. Hardin. Vote on postponement: Ayes. The City Attorney will ask for a representative to appear at the next meeting.

The Mayor told the Council that he asked the Information Technology Department to put the smoking ban ordinance on the website as quickly as possible and see what other communities are doing. Ms. Reed had given the Mayor the contact person for the Partnership for a Healthier Johnson County so that staff could contact that organization and get information about posters, etc. The Chief of Police is working on the noise issue at One Liners.

With no further business, the meeting adjourned at 7:50 p.m.

Charles E. Henderson, Mayor

Jeannine Myers, Clerk-Treasurer